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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/043,328

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Hidekazu Yano

Q68052

6686

7590

09/30/2004

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EXAMINER

CHOW, MING

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,328

Applicant(s)

YANO ET AL.

Examiner

Ming Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-11, 16, 17, 22, 23, 28, 29 and 31 is/are rejected.
- 7) ☒ Claim(s) 4-7, 12-15, 18-21, 24-27 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Information Disclosure Statement

1. The information disclosure statement filed 4-7-04 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

2. Claim 9 recites "the function". There is insufficient antecedent basis for this limitation in the claim.

3. Claim 22 recites "the process". There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

4. Claims 4-7, 12-15, 18-21, 24-27, 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The allowable subject matters are “when said user terminal currently is a busy state is detected within a prohibition area, the communication limiter instructs the disconnection processor in the user terminal to disconnect the communication”, “when said user terminal in a busy state is approaching a prohibition area, the communication limiter notifies the user terminal of the approaching fact and the disconnection processor issuing an alarm urging the user to disconnect”, “when the user terminal originates a call within a prohibition area to another terminal, the communication limiter notifies either the called party or the caller that the other party is within a prohibition area”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 2, 8, 28, 29, 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Linkola et al (US: 6708033).

For claims 1, 28, Linkola et al teach on column 6 line 3-51, the evaluation logic part (claimed “communication limiter”) evaluates location data to determine a change of connection (reads on “limiting connection” to a new connection).

Linkola et al teach on column 6 line 38-51, connection exchange part disconnects the connection based on received command from the communication limiter.

Regarding claims 2, 29, Linkola et al teach on column 5 line 50 to column 6 line 2, location part (claimed “location detector”).

Linkola et al teach on column 5 line 65-67, the location part gives one parameter to the evaluation part.

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Regarding claims 8, 31, Linkola et al teach on column 8 line 44-45, GPS.

6. Claims 10, 16, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Andersson et al (US: 6230017).

Andersson et al teach on column 4 line 48-60, HLR stores restriction information for limiting subscriber's use of mobile station to a specific geographical area.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Linkola et al as applied to claim 2 above, and in view of Valentine et al (US: 6567668).

Linkola et al failed to teach "a use prohibition area registration table for recording location data about a location within a use prohibition area where communications of said user

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terminal is not allowed". However, Valentine et al teach on column 3 line 44-48, a table with information regarding areas with no allowed service and areas with restricted service.

Linkola et al teach on column 6 line 3-6, memory for storing location data (claimed "location information management table").

Linkola et al teach on column 6 line 16-37, evaluation logic (claimed "terminal location manager") checks location data being received against location data received earlier. By combining with the prohibition area data as taught by Valentine et al, Linkola et al can be modified in view of Valentine et al so that the evaluation logic can check location data being received against prohibition area data in order to control the terminal's communication in the restricted area.

It would have been obvious to one skilled at the time the invention was made to modify Linkola et al to have the "a use prohibition area registration table for recording location data about a location within a use prohibition area where communications of said user terminal is not allowed" as taught by Valentine et al such that the modified system of Linkola et al would be able to support the system users to better define areas where services are prohibited.

Regarding claims 11, 17, 23, all rejections as stated in claims 2 and 3 above apply.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Linkola et al as applied to claim 2 above, and in view of Andersson et al (US: 6230017).

Linkola et al failed to teach "the function of said communication limiter is integrated within a home location register". However, Andersson et al teach on column 4 line 48-60, HLR

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stores restriction information for limiting subscriber's use of mobile station to a specific geographical area.

It would have been obvious to one skilled at the time the invention was made to modify Linkola et al to have "the function of said communication limiter is integrated within a home location register" as taught by Andersson et al such that the modified system of Linkola et al would be able to support the system users with a HLR for better managing the communication limitation.

Conclusion

9. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Raith (US: 6711408) teaches position assisted handoff within a wireless communications network.

10. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703)

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305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

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Ming Chow



**FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**

